

ESTTA Tracking number: **ESTTA104494**

Filing date: **10/16/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92045648
Party	Defendant Elden, Phillip Elden, Phillip box 551 bonsall, CA 92003
Correspondence Address	Susan Upton Douglass Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES sdouglass@frosszelnick.com
Submission	Motion to Join/Substitute Party
Filer's Name	Michelle A. Hon
Filer's e-mail	mhon@duanemorris.com
Signature	/Michelle A. Hon/
Date	10/16/2006
Attachments	Unopposed Motion to Substitute Parties.pdf (3 pages)(255368 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Mark of
BRITT VENTURES, INC.,
Registration No. 3,049,295
Mark: IDOL WRITER
Registered January 24, 2006

FREMANTLE MEDIA NORTH AMERICA, INC.

Plaintiff,

v.

PHILLIP ELDEN

Defendant.

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Cancellation No. 92045648

UNOPPOSED MOTION TO SUBSTITUTE PARTIES

Britt Ventures, Inc. and Phillip Elden respectfully request a substitution of parties in the above captioned case.

On October 12, 2006, Phillip Elden assigned to Britt Ventures Inc. all right, title and interest in and to the trademark IDOL WRITER and Registration No. 3,049,295. This assignment was recorded on October 13, 2006 on Reel 003408, Frame 0622. A copy of the Assignment and Notice of Recordation is attached hereto as Exhibit A.

An assignee may be substituted as a party when the plaintiff raises no objects to the substitution. TBMP 512.01. Plaintiff has been advised of the proposed substitution and does not oppose. Further, there will be no prejudice to the petitioner due to the substitution.

Therefore, Phillip Elden and Britt Ventures, Inc. request the Board grant this unopposed motion and substitute Britt Ventures, Inc. as sole defendant in this proceeding.

Defendant

Phillip Elden
Phillip Elden
P.O. Box 551
Bonsall, California 92003

Dated: Oct 16, 2006

Respectfully submitted,

Brit Ventures, Inc.

By its Attorneys,

Lewis B. Gould, Jr.
Lewis B. Gould, Jr.
Duane Morris LLP
30 South Seventeenth Street
Philadelphia, PA 19103
Tel: 215 979 1282
Fax: 215 979 1020
lgould@duanemorris.com
Dated: Oct 16, 2006

PROOF OF SERVICE

I am a resident of the state of California, I am over the age of 18 years, and I am not a party to this lawsuit. My business address is 101 West Broadway, Suite 900, San Diego, California 92101. On the date listed below, I served the following document(s):

**UNOPPOSED MOTION TO SUBSTITUTE PARTIES; AND
STIPULATION EXTENDING DATES IN CANCELLATION PROCEEDINGS**

- ☒ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 6 p.m. Our facsimile machine reported the "send" as successful.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California, addressed as set forth below.

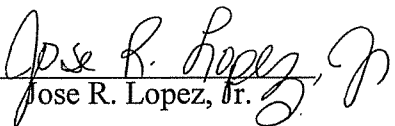
I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. According to that practice, items are deposited with the United States mail on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing stated in the affidavit.

- ☐ by causing personal delivery of the document(s) listed above to the person at the address set forth below.
- ☐ by personally delivering the document(s) listed above to the person at the address set forth below.

Lucy B. Arant, Esq.
Mitchell Silberberg & Knupp, LLP
11377 Olympic Boulevard, Suite 603
Los Angeles, California 90064
Phone: 310-312-3253
Fax: 310-312-3100

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed October 16, 2006, at San Diego, California.


Jose R. Lopez, Jr.